

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DAJUAN S. COLLINS,

Plaintiff,

v.

ASHLEY N. SURPRISE, JONATHAN J. SYENS,
CPT. SHANE M. HINTON AND
GWEN L. SCHULTZ,

Defendants.

ORDER

21-cv-237-bbc

Pro se plaintiff and prisoner Dajuan Collins is proceeding on claims that staff at Columbia Correctional Institution used excessive force on him. Defendants filed a motion for summary judgment on exhaustion grounds, dkt. #20, after which I referred the motion to Magistrate Judge Stephen Crocker for a report and recommendation pursuant to 28 U.S.C. § 636(b)(1)(B). Judge Crocker held an evidentiary hearing under Pavey v. Conley, 544 F.3d 739 (7th Cir. 2008), and then issued a Report and Recommendation that defendants' motion be granted. Dkt. 42.

Plaintiff filed no objections to the Report and Recommendation, and I see no flaws in Judge Crocker's analysis. The Report and Recommendation is well-reasoned and persuasive. Therefore, I will adopt the recommendation that I grant defendants' motion.

ORDER

IT IS ORDERED that

1. The magistrate judge's report and recommendation, dkt. #42, is ADOPTED.

2. Defendants' motion for summary judgment on the ground that plaintiff Dajuan Collins failed to exhaust his administrative remedies, dkt. #20, is GRANTED. This case is DISMISSED for plaintiff's failure to exhaust his administrative remedies before filing suit.

3. The clerk of court is directed to enter judgment for defendants and close this case.

Entered this 25th day of May, 2022.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge